

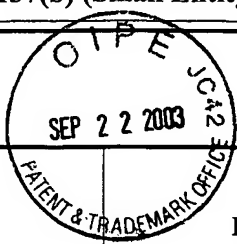
9-23-03

\$ DAC  
#37

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.  
(R)S11-PC/PC1/US

In Re Application Of: Locher



Serial No.  
09/068,278

Filing Date  
July 9, 1998

Examiner  
Ergenbright

Group Art Unit  
3722

Invention: Continuous Cable Processing Device

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**RECEIVED**

OCT 02 2003

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on Office Action of November 22, 2002

The proposed reply is in the form of: Substitute Amendment After Final Action **OFFICE OF PETITIONS**

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on 10/02/2003 AWONDAF1 00000015 09068278  
04 FC:2453 650.00 OP

3. ☒ A small entity declaration:

☐ is enclosed. ☒ was filed on previously

4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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**Calculation and Payment of Fees**

Enclosed are the following fees:

- |  |                   |
|--|-------------------|
| 7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:                   | <u>\$650.00</u>   |
| 8. <input checked="" type="checkbox"/> Fee for amendment in the amount of: <i>(Additional Claim Fee)</i>     | <u>\$45.00</u>    |
| 9. <input checked="" type="checkbox"/> Fee for extension of time to reply to Office Action in the amount of: | <u>\$465.00</u>   |
| 10. <input type="checkbox"/> Issue fee in the amount of:   | _____             |
| 11. <input type="checkbox"/> Continuing application filing fee in the amount of:                             | _____             |
| 12. <input type="checkbox"/> Terminal disclaimer fee in the amount of:                                       | _____             |
| 13. <input checked="" type="checkbox"/> <u>RCE Fee</u>   | <u>\$375.00</u>   |
| Total fees enclosed:   | <u>\$1,535.00</u> |

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The fee of **\$1,535** is to be paid as follows:

- ☒ A <sup>PTO</sup> ~~2038~~ in the amount of the fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- A duplicate copy of this sheet is enclosed.

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**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

*M. Robert Kestenbaum*

*Signature*

Dated: September <sup>22</sup> 2003

**M. Robert Kestenbaum  
Reg. No. 20,430  
11011 Bermuda Dunes NE  
Albuquerque, NM, USA 87111  
(505) 323-0771  
Fax: (505) 323-0865**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

Mailed by Express Mail on: 9/22/2003

cc:

*Typed or Printed Name of Person Mailing Correspondence*